

**Schlichter
Bogard & Denton**

VIA ECF

The Honorable Philip M. Halpern
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 1950
New York, NY 10007

With respect to counsel's reference to discussing summary judgment motions at the case management conference, the parties are reminded to review and strictly comply with the Court's Individual Practices concerning procedures for summary judgment motion practice.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: White Plains, New York
August 11, 2022

Re: *Khan v. Bd. of Dirs. of Pentegra Defined Contribution Plan*
Case No. 7:20-cv-07561

Dear Judge Halpern:

In accordance with this Court's Amended Scheduling Order (Doc. 159), the parties provide the Court with this joint letter concerning settlement/mediation at this time. With the parties starting expert disclosures and expert discovery, the parties believe it is premature for mediation or even fulsome assessments of the prospect of mediation to commence at this time. For that reason, the parties believe it would be more productive to evaluate the prospects of mediation once expert discovery has closed and the parties have the benefit of their respective experts' damages analyses. With expert discovery to close on October 14, 2022, the parties believe they will be in a position to update the Court during the October 19, 2022, hearing on Case Management as to mediation prospects and further be in a position to propose a summary judgment briefing schedule, if necessary, at that time.

Respectfully submitted,

/s/ Troy A. Doles
Counsel for Plaintiffs

/s/ Ross McSweeney (by consent)
Counsel for Defendants